

STATE OF WISCONSIN
Senate Journal
Ninety–Fifth Regular Session

WEDNESDAY, November 7, 2001

The Chief Clerk makes the following entries under the above date.

INTRODUCTION AND REFERENCE OF RESOLUTIONS AND JOINT RESOLUTIONS

Read and referred:

Senate Resolution 10

Relating to: urging Congress to enact the Steel Revitalization Act of 2001.

By Senator Burke.

To committee on **Economic Development and Corrections.**

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS

Read first time and referred:

Senate Bill 311

Relating to: limiting the uses of tax incremental financing.

By Senator Burke; cosponsored by Representative Musser.

To committee on **Universities, Housing, and Government Operations.**

Senate Bill 312

Relating to: advertising by intoxicating liquor retailers.

By Senators Plache, Wirch, Hansen, Darling, Welch and Cowles; cosponsored by Representatives Gard, Bies, Krawczyk, Gronemus, Ainsworth, Albers, Gunderson, Jeskewitz, Ladwig, Leibham, Pettis, Seratti, Sykora, Montgomery, Shilling, Musser, Gundrum, Starzyk and Lassa.

To committee on **Insurance, Tourism, and Transportation.**

Senate Bill 313

Relating to: graffiti and providing a penalty.

By Senators Grobschmidt, Burke, Darling and Schultz; cosponsored by Representatives Plale, Krusick, Staskunas, Walker, Sinicki, Richards, Carpenter, Suder, La Fave, Jeskewitz, Ryba, Lassa, Leibham, Shilling, F. Lasee, Ott and Stone.

To committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform.**

Senate Bill 314

Relating to: the salaries of technical college instructors.

By Senators George, Risser, Hansen, Burke and Wirch; cosponsored by Representatives Pocan, Musser, Gronemus,

Sykora, Miller, Black, Young, Coggs, Colon, Sinicki and Berceau.

To committee on **Education.**

Senate Bill 315

Relating to: deductions to labor and professional organizations from annuity payments under the Wisconsin retirement system.

By Senators Risser, Burke, Hansen and Schultz; cosponsored by Representatives Freese, Pocan, Turner, Black, J. Lehman, Boyle, Miller, Gronemus, Hahn, Sykora and Musser.

To joint survey committee on **Retirement Systems.**

REPORT OF COMMITTEES

The committee on **Human Services and Aging** reports and recommends:

BERG, CRYSTAL, of Hartford, as a member of the Examining Board of Social Workers, Marriage and Family Therapists and Professional Counselors, to serve for the interim term ending May 1, 2004.

Confirmation.

Ayes, 7 – Senators Robson, Moore, Wirch, Hansen, Roessler, Welch and Kanavas.

Noes, 0 – None.

CARLIN, MARTE J., of Green Bay, as a member of the Council on Domestic Abuse, to serve for the interim term ending July 1, 2003.

Confirmation.

Ayes, 7 – Senators Robson, Moore, Wirch, Hansen, Roessler, Welch and Kanavas.

Noes, 0 – None.

CONNOLLY–KEESLER, EILEEN, of Neenah, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2004.

Confirmation.

Ayes, 7 – Senators Robson, Moore, Wirch, Hansen, Roessler, Welch and Kanavas.

Noes, 0 – None.

KAUFERT, REPRESENTATIVE DEAN, of Neenah, as a member of the Council on Domestic Abuse, to serve for the term ending July 1, 2004.

Confirmation.

Ayes, 7 – Senators Robson, Moore, Wirch, Hansen, Roessler, Welch and Kanavas.

Noes, 0 – None.

Judith Robson
Chairperson

PETITIONS AND COMMUNICATIONS

**State of Wisconsin
Legislative Audit Bureau**

November 6, 2001

The Honorable, The Legislature:

We have completed an evaluation of the State of Wisconsin Investment Board, as directed by s. 25.17(51m), Wis. Stats. As of December 31, 2000, the Investment Board managed a total of \$67.0 billion in investments that included assets of the Wisconsin Retirement System, the State Investment Fund, and five smaller insurance and trust funds.

The Investment Board has recently been successful in exceeding its performance benchmarks for the Fixed Retirement Trust Fund, which represented 81.8 percent of the assets under its management in 2000. However, the Fixed Retirement Trust Fund's long-term returns continue to lag those of other large public pension funds. As of June 30, 2000, its five-year returns ranked last among ten funds we surveyed.

We focused our analysis on the Investment Board's Opportunity Portfolio for the Fixed Retirement Trust Fund, which is a higher-risk portfolio that has focused on private equity investments in emerging markets in Asia and Eastern Europe. The portfolio, which has assets of approximately \$1 billion, has failed to meet its performance benchmarks and is not meeting expectations of earning higher returns that the Investment Board achieves through its more traditional investments. In light of the lagging returns and controversy surrounding certain investments in South Korea, support for the portfolio among members of the Board of Trustees is divided. Another area of concern is the Board of Trustees' involvement in the Opportunity Portfolio. Of particular concern is the fact that some trustees own public stock in entities associated with the portfolio. These interests have previously not been publicly disclosed. We suggest that to avoid the appearance of conflicts of interest, the Investment Board revisit its policies to ensure trustees comply with provisions of the State Ethics Code.

We appreciate the courtesy and cooperation extended to us by the Investment Board. A response from the Board's Executive Director is Appendix 5.

Sincerely,

JANICE MUELLER
State Auditor

**State of Wisconsin
Department of Revenue**

November 1, 2001

The Honorable, The Legislature:

I am submitting the quarterly report of the Wisconsin Lottery for the quarter ending June 30, 2001. As required by s. 565.37(3), Wis. Stats., the attached materials contain unaudited Wisconsin Lottery year to date Sales and Expenditure information.

The summary information reported here is not intended to be a complete financial accounting of the Wisconsin Lottery Fund.

If you have any questions or comments regarding this report, please feel free to contact me at (608) 266-6466.

Sincerely,

RICHARD G. CHANDLER
Secretary of Revenue

**REFERRALS AND RECEIPT OF
COMMITTEE REPORTS CONCERNING
PROPOSED ADMINISTRATIVE RULES**

Senate Clearinghouse Rule 00-175

Relating to hazardous air pollutant emissions from pulp and paper mills.

Submitted by Department of Natural Resources.

Report received from Agency, November 6, 2001.

Referred to committee on **Environmental Resources**, November 7, 2001.

Senate Clearinghouse Rule 01-037

Relating to sport fishing and commercial fishing for yellow perch in Green Bay.

Submitted by Department of Natural Resources.

Report received from Agency, November 6, 2001.

Referred to committee on **Environmental Resources**, November 7, 2001.

Senate Clearinghouse Rule 01-067

Relating to safe drinking water standards for radionuclides.

Submitted by Department of Natural Resources.

Report received from Agency, November 6, 2001.

Referred to committee on **Environmental Resources**, November 7, 2001.

MESSAGES FROM THE ASSEMBLY

By John A. Scocos, chief clerk.

Mr. President:

I am directed to inform you that the Assembly has passed and asks concurrence in:

Assembly Bill 39

Assembly Bill 109

Assembly Bill 256

Assembly Bill 263

Assembly Bill 326

Assembly Bill 327

Assembly Bill 373

Assembly Bill 427

Assembly Bill 436

Assembly Bill 464

Assembly Bill 470

Assembly Bill 580

Adopted and asks concurrence in:

Assembly Joint Resolution 65

Assembly Joint Resolution 72

Concurred in:

Senate Bill 259

**MESSAGES FROM THE ASSEMBLY
CONSIDERED**

Assembly Bill 39

Relating to: requiring the elections board to make recommendations regarding statewide voter registration and maintenance of a statewide voter registration list.

By committee on Campaigns and Elections.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 109

Relating to: surveys and questionnaires of pupils and providing a penalty.

By Representatives Pettis, Krawczyk, Ziegelbauer, Gronemus, Wade, Ainsworth, Owens, Urban, Hahn, Grothman, Albers, F. Lasee, McCormick and Vrakas; cosponsored by Senators Darling, Farrow and Lazich.

Read first time and referred to committee on **Education**.

Assembly Bill 256

Relating to: licensing perfusionists, creating a perfusionists examining council, and granting rule-making authority.

By Representatives Skindrud, Berceau, Duff, Gunderson, Hahn, La Fave, Musser, Ott, Plale, Shilling and Urban; cosponsored by Senators Erpenbach, Burke, George, Grobschmidt, M. Meyer, Plache, Risser and Rosenzweig.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs**.

Assembly Bill 263

Relating to: special event campground permits issued by the department of health and family services and granting rule-making authority.

By Representatives Johnsrud, Wade, Suder, Musser, Freese, Krawczyk, Townsend, Ott, Sykora and M. Lehman; cosponsored by Senators Schultz and Roessler.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 326

Relating to: expenditure of \$12,600 from the general fund in payment of a claim against the state made by Alan and Marlene Sieker.

By Representatives Albers and Ziegelbauer; cosponsored by Senator Burke, by request of Claims Board.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 327

Relating to: expenditure of \$9,296 from moneys appropriated to the department of transportation in payment of a claim against the state made by Robert and Dorothy Messner.

By Representative Albers; cosponsored by Senator Burke, by request of Claims Board.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 373

Relating to: notice regarding ineligibility to vote.

By Representatives Freese, Albers, Duff, Gunderson, Hahn, Krawczyk, La Fave, J. Lehman, M. Lehman, Lippert, McCormick, Musser, Nass, Ott, Owens, Petrowski, Pettis, Ryba, Seratti, Skindrud, Starzyk, Stone, Suder, Sykora, Townsend, Wade and Wood; cosponsored by Senators Grobschmidt, Darling, Huelsman, Roessler, Rosenzweig and Schultz.

Read first time and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Bill 427

Relating to: the requirements for examinations for nursing home administrator licenses and for reciprocal nursing home administrator licenses and granting rule-making authority.

By committee on Aging and Long-Term Care.

Read first time and referred to committee on **Health, Utilities, Veterans and Military Affairs**.

Assembly Bill 436

Relating to: requiring the department of transportation to provide transportation planning and assistance in reviewing the

site plan of proposed school construction or enlargement and granting rule-making authority.

By Representatives Wieckert, Krawczyk, McCormick, J. Lehman, Lippert, Suder, Meyerhofer, Friske, Hahn, Pettis, Townsend, Plale, Miller, Hoven, Sykora, Lassa, Huber, Vrakas, Wasserman and Jeskewitz; cosponsored by Senators Breske and Schultz.

Read first time and referred to committee on **Insurance, Tourism, and Transportation**.

Assembly Bill 464

Relating to: prohibitions related to certain controlled substances and providing a penalty.

By Representatives Underheim, Krawczyk, Suder, Plale, Hahn, Plouff, Lippert, Ryba, Vrakas, Owens, Townsend, Petrowski, Musser, Albers, Ladwig, Urban, D. Meyer, Sykora, Olsen, J. Fitzgerald, Stone and Ott; cosponsored by Senators Erpenbach, Roessler, Rosenzweig, Huelsman, Lazich, Darling and Schultz.

Read first time and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform**.

Assembly Bill 470

Relating to: the appointment of municipal temporary reserve judges.

By Representatives Jeskewitz, Sherman, Lippert, D. Meyer, Wade, Townsend, Owens, Ladwig, Kedzie, Sykora, M. Lehman, Ott, Ryba and Olsen; cosponsored by Senators George, Huelsman, Darling and Roessler.

Read first time and referred to committee on **Judiciary, Consumer Affairs, and Campaign Finance Reform**.

Assembly Bill 580

Relating to: water quality standards for wetlands for an activity at a site in Trempealeau County and review of certain changes to shoreland, wetland, and floodplain zoning ordinances as they relate to an activity at a site in Trempealeau County.

By Representatives Gronemus, Jensen, Freese, Kreibich, Huebsch, Musser, Suder, Ziegelbauer, Plale, Steinbrink, Kreuser and Balow; cosponsored by Senator Moen.

Read first time and referred to committee on **Senate Organization**.

Assembly Joint Resolution 65

Relating to: urging Congress to provide a permanent annual payment in lieu of taxes to the town and county of Menominee.

By Representatives Seratti, Musser, Urban, Sykora, Albers, Nass, Skindrud and La Fave; cosponsored by Senator Breske.

Read and referred to committee on **Universities, Housing, and Government Operations**.

Assembly Joint Resolution 72

Relating to: the 1,700th anniversary of Armenian Christianity.

By Representatives Plale, Ladwig, Turner, J. Lehman, Kreuser, Steinbrink, Stone, Richards, Starzyk, Owens, Staskunas, Jeskewitz, McCormick, Sykora, Freese, Gundrum and Lippert; cosponsored by Senators Plache, Burke, Wirsch, Grobschmidt, Rosenzweig, Schultz and Lazich.

Read and referred to committee on **Senate Organization**.

SENATE ENROLLED PROPOSALS

The Chief Clerk records:

Senate Joint Resolution 48

Report correctly enrolled on November 7, 2001.